

PRESIDENT: The Chair recognizes Senator Vickers.

SENATOR VICKERS: Mr. President, I wonder if Senator Johnson would yield to a question please. Senator Johnson, I noticed on the committee statement that the Omaha City Prosecutor and the representative of the Nebraska County Attorneys Association opposed LB 110. Could you tell me the reasons for their opposition?

SENATOR V. JOHNSON: Senator Vickers, I think both were embarrassed by opposing LB 110. They both presented themselves in a very shamefaced way. I think that they thought that essentially (laughing)...

SENATOR VICKERS: Can you say that with a straight face?

SENATOR V. JOHNSON: It is true. I am not kidding you. I mean the City Prosecutor in Omaha, Mr. Richard "Deacon" Jones came down and testified in opposition because he was concerned that somehow the city would be required to meet photocopying costs as it handed out police reports, and after I assured him that the city can charge whatever it wants to charge for photocopying police reports, he said, well, that is a relief but since he was in Lincoln he figured he might as well go ahead with his testimony anyhow. Ronald Brown last year agreed to this bill. The Nebraska Association of County Attorneys last year agreed to this bill in this form. So I said to Ron, I said, why do you have a problem this year? He said it is another year. I mean that is the best I can do, Senator Vickers.

SENATOR VICKERS: Was there a concern raised about the clogging of the docket perhaps?

SENATOR V. JOHNSON: There was a concern raised by Ron Brown that the docket would be clogged but I think in his heart of hearts he recognized that a current practice of some county prosecutors, and mind you, the policy is total uneven throughout the state. In some areas the county prosecutors simply allow the defendant discovery anyhow. In other areas they don't but I think he realized that in those areas where the county prosecutor has been terribly hardnosed and not allowed the discovery the dockets have been more clogged because there simply are not negotiations that take place and there is not good counseling for the defendant accused, and as a result, frankly, Senator Vickers, the prosecutorial response to this bill was kneejerk and not thoughtful.

SENATOR VICKERS: Thank you, Senator Johnson, I appreciate